

14 April 1997

Training
TRAINEE ABUSE REPORTING (RCS ATBO-61)

Summary. This regulation defines trainee abuse and establishes policies and procedures for the reporting of trainee abuse by TRADOC installations and service schools.

Applicability. This regulation applies to all TRADOC training centers and service schools engaged in conducting initial entry training (IET) for enlisted soldiers.

Supplementation. Local supplementation of this regulation is prohibited unless specifically approved by HQ TRADOC. Forward requests for supplementation to Commander, TRADOC, ATTN: ATBO-BP, Fort Monroe, VA 23651-5000.

Suggested improvements. The proponent of this regulation is the Deputy Chief of Staff for Base Operations Support (DCSBOS). Send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through channels to Commander, TRADOC, ATTN: ATBO-BP, Fort Monroe, VA 23651-5000. Suggested improvements may also be submitted using DA Form 1045 (Army Ideas for Excellence Program (AIEP) Proposal).

Availability. This publication is also available on the TRADOC Homepage at <http://www-tradoc.army.mil>.

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Chapter 1
Introduction

1-1. Purpose. This regulation defines trainee abuse and establishes policies, responsibilities, and procedures for reporting incidents of trainee abuse to this headquarters.

1-2. References. Appendix A contains a listing of the required and related publications and prescribed form.

1-3. Explanation of abbreviations and terms. The glossary contains abbreviations and special terms used in this regulation.

1-4. Responsibilities.

a. Headquarters, TRADOC.

(1) Deputy Chief of Staff for Base Operations Support (DCSBOS).

*This regulation supersedes TRADOC Reg 350-12, 8 Jul 85.

TRADOC Regulation 350-12

(a) Adjutant General will consolidate data reported by subordinate commands on a quarterly basis.

(b) Adjutant General will promulgate a quarterly summary of trainee abuse reports to Commanding General, Chief of Staff, Command Sergeant Major, Inspector General, Staff Judge Advocate, Command Provost Marshal, Chaplain, and Deputy Chief of Staff for Training.

(c) Command Provost Marshal will review serious incident reports (SIR) submitted by TRADOC installations for trends regarding trainee abuse.

(2) Other Chiefs of Special Staffs and Deputy Chiefs of Staff will review quarterly summaries of trainee abuse and provide functional assessments, as required, within their areas of responsibility.

b. Commanders, U.S. Army training centers, and Commandants, TRADOC service schools engaged in IET will--

(1) Ensure that all trainee abuse allegations are investigated. Type and scope of investigation will be determined based upon the nature of the allegation (criminal, noncriminal, sexual harassment, etc.).

(2) Establish responsibility for reporting trainee abuse within appropriate staff element of their command.

(3) Submit quarterly trainee abuse reports to HQ TRADOC per this regulation.

c. Installation commanders will--

(1) Submit SIR IAW AR 190-40. Not all trainee abuse incidents need to be reported as SIR. AR 190-40 prescribes categories of reportable incidents. Incidents to be reported by SIR are outlined in AR 190-40, paragraphs 1-4c(19) and 1-4d(6).

(2) All SIR involving trainee abuse transmitted to HQDA(DAPE-HRE) will list as an information addressee, Commander, TRADOC, ATTN: ATBO-BP, Fort Monroe, VA 23651-5000.

1-5. Policy.

a. TRADOC, as the Army's trainer, is the first unit of assignment for all soldiers. Excellence in the quality of training for soldiers must be a continuous goal. As thousands of young people enter the U.S. Army, they place their trust in TRADOC to provide high standards of training, professional leadership,

and an acceptable quality of life. Trainee abuse will not be condoned in the Training and Doctrine Command.

b. Promoting the esteem of a soldier in the U.S. Army is a responsibility shared by all. Trainees must be treated with the same respect and dignity accorded to all soldiers. Harassing/degrading treatment or any physical contact with trainees for disciplinary reasons will not be tolerated. Positive leadership from all levels of command is needed to preclude such treatment.

c. The goal of Army policy concerning trainee abuse is its prevention. To effectively prevent trainee abuse, the chain of command must ensure drill sergeants, platoon sergeants, and other cadre are thoroughly trained. Chain of command should review leadership principles violated in actual abuse cases and identify techniques to prevent such incidents from recurring.

d. To deter trainee abuse, battalion commanders will promptly investigate trainee abuse allegations. Actions taken must be fair and decisive. Trainee abuse can cover a wide range of criminal and non-criminal activities. Commanders at all levels are responsible for assessing and reporting trainee abuse allegations to the chain of command and appropriate agencies (Military Police, Criminal Investigation, Staff Judge Advocate, Equal Opportunity Advisor, or other appropriate offices). Additionally, any allegations involving National Guard soldiers will be reported to National Guard Liaison NCOs assigned at each TRADOC installation. Provisions of this regulation do not negate the reporting or investigative requirements of any other Army or TRADOC regulation. Commanders will ensure results of trainee abuse investigations are properly publicized to dispel rumors.

e. All allegations of discrimination or sexual harassment (including those handled by the "informal" Equal Opportunity (EO) process as well as those requiring "formal" action) will be reported to the installation or brigade Equal Opportunity Advisor (EOA) to ensure the EOA has the information to provide a full climate assessment for the installation or brigade commander.

Chapter 2 Reporting Procedures (RCS ATBO-61)

2-1. Reporting trainee abuse incidents. Reports of incidents of trainee abuse will be submitted to HQ TRADOC, ATTN: ATBO-BP, NLT 10th calendar day of the month after the close of each quarter. Submit reports on TRADOC Form 141-R-E (RCS ATBO-61). Instructions for completing TRADOC Form 141-R-E are in paragraph 2-3. A blank copy of TRADOC Form 141-R-E is located at the back of this regulation for local

reproduction. Reporting consists of three components: alleged incidents, confirmed incidents, and dismissed incidents.

a. Alleged incidents: Report all credible allegations of trainee abuse regardless of severity. All first-party allegations of abuse by trainees will be reported. Commanders must make their own assessment of anonymous or third-party allegations of trainee abuse to determine if the allegation is credible. As a general rule, when in doubt, an allegation will be reported.

b. Confirmed incidents: From the entire number of alleged incidents, report the number of confirmed incidents of trainee abuse.

c. Dismissed incidents: From the entire number of alleged incidents, report the number unfounded or dismissed.

2-2. Trainee abuse incidents. Some examples of trainee abuse are included in this regulation but are not intended to be all inclusive. The spirit of maintaining high standards of respect, dignity, and positive leadership will be followed. When these standards are violated and trainees are abused, such incidents will be reported.

2-3. Instructions for completing TRADOC Form 141-R-E (RCS ATBO-61).

a. General.

(1) Reports may be submitted electronically to atbobjp@emh10.monroe.army.mil. The electronically generated form must contain the form title, form number and date, reference to the prescribing publication, and the RCS.

(2) Negative reports are required.

(3) Local reproduction of TRADOC Form 141-R-E is authorized.

(4) The report will reflect the name, rank, Defense Switching Network (DSN) number, and installation of the individual preparing the report.

(5) The report will be verified and signed by a designated installation official (normally the Chief of Staff or an individual designated by him or her). This will ensure that trainee abuse reports are accurate and allegations of abuse receive proper command attention.

(6) A narrative description of each trainee abuse case completed during reporting period or pending at the end of the reporting period will accompany TRADOC Form 141-R-E. See examples at Figures 2-1 and 2-2. As a minimum, include the following:

(a) Background.

(b) Results of investigation.

(c) Disposition or current status of each case.

(7) In case of multiple allegations of abuse against a trainee, use the most serious offense alleged to account for the incident on TRADOC Form 141-R-E. (For example, in a case where a trainee is cursed (verbal abuse) and struck (physical abuse), report only the allegation or incident of physical abuse on the quarterly report.) Generally, the seriousness of allegations and incidents run left to right on the report form; however, commanders will make their own determination. If sexual misconduct and physical misconduct are reported, report under sexual misconduct. **The accompanying narrative will include the circumstances of all allegations.** For the purposes of this report, allegations or incidents between trainees or between other service cadre and their own trainees are not reported. Allegations or incidents between Army cadre and other service trainees will be reported.

SYNOPSIS

Background. On 8 Nov 96, a trainee alleged that he had been verbally abused by his drill sergeant.

Results of Investigation. The battery commander conducted a preliminary inquiry and the following information was disclosed:

a. The trainee alleged when he left the APFT test before completion of the run, the drill sergeant yelled obscenities at him.

b. The drill sergeant denied the allegation, and another drill sergeant present at the time supported the statement.

c. Another soldier supported the trainee's allegation, but this soldier was pending UCMJ action and his credibility was questionable.

Disposition. No action was taken against the drill sergeant.

Figure 2-1. "Completed" example

SYNOPSIS

Background. On 7 November 1996, a permanent party soldier was accused of using sexually graphic language in front of two female soldiers, one of which was a trainee holdover.

Status. The battery commander conducted a preliminary inquiry and the following information was disclosed:

- a. The soldier admitted to using the sexually graphic language toward the two females.
- b. The verbal sexual abuse was unlawful and unwelcomed by both females.
- c. Chain of command is reviewing possible courses of action with installation legal office.

Figure 2-2. “Pending” example

b. Categories. The following are explanations of the categories of cases on TRADOC Form 141-R-E.

(1) Rape. Report abuse cases which stem from allegations of rape of a trainee by a cadre member.

(2) Forcible sodomy. Report abuse cases which stem from allegations of forcible sodomy of a trainee by a cadre member.

(3) Indecent assault. Report abuse cases which result from allegations of forcible assault of a trainee by a cadre member.

(4) Sexual harassment. Report those cases of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a nonconsensual nature when:

(a) Submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of a trainee’s evaluation, progression, or graduation.

(b) Submission to, or rejection of, such conduct by a trainee is used as a basis for evaluation or decisions affecting that trainee.

(c) Such conduct interferes with a trainee’s performance or creates an intimidating, hostile, or offensive environment.

(5) Other sexual misconduct. Report those cases of sexual misconduct that cannot be classified under paragraphs 2-3b(1)-(4), above. Include fraternization and consensual sex between trainees and cadre in this category.

(6) Other physical abuse. Report those cases of physical abuse that allege physical contact (i.e., hitting, pushing, grabbing, shoving). Report noncontact physical abuse under “verbal abuse,” or “other” as appropriate. Do not include incidents of sexual abuse, report these cases under the appropriate category of sexual misconduct.

(7) Verbal abuse. Report those cases of vulgar, sexually explicit, obscene, profane, humiliating, racially, or ethnically slanted language towards a trainee.

(8) Other. Report incidents which do not fit any other category, including such allegations as excessive physical exercise, sleep deprivation, flipping bunks to wake trainees, etc.

c. TRADOC Form 141-R-E, TRADOC Trainee Abuse Report. The quarterly report will be submitted by TRADOC installations as directed below:

(1) Line 1. Number of allegations. Total number of allegations reviewed/investigated and closed/finalized during the quarter. Do not report incidents still pending final resolution. This does not preclude the requirement to notify the chain of command or submit SIR or other notifications IAW other regulatory requirements.

(2) Line 2a. Dismissed. Number of allegations or incidents dismissed as not founded during current reporting period.

(3) Line 2b. Confirmed. Number of cases confirmed and completed during the current reporting period. In order for a case to be completed, some action must be taken on substantiated allegations; e.g., judicial, nonjudicial punishment, administrative elimination, relief for cause, counseling. (Line 2b should equal the sum of lines 3a, 3b, and 3c.)

(4) Line 3a. Court-martial convictions. Number of cases confirmed during current reporting period disposed of by court-martial.

(5) Line 3b. Nonjudicial punishment. Number of cases confirmed during reporting period disposed of by nonjudicial punishment.

(6) Line 3c. Other corrective measures. Number of cases confirmed during current reporting period disposed of by other corrective measures; e.g., administrative elimination, relief for cause, bar to reenlistment, counseling, written reprimand.

(7) Line 4. Total number of allegations this quarter. Record the number of allegations made this quarter. Report these totals regardless of whether they are closed or still pending. This is a stand alone figure. Do not add it, or equate it to, any other lines on the report.

(8) Line 5. Allegations pending at end of quarter. Number of allegations which are pending at the end of the quarter (still under investigation or pending UCMJ, nonjudicial action, or administrative action).

Appendix A References

Section I Required Publications

AR 190-40
Serious Incident Report

AR 25-55
The Department of the Army Freedom of Information Act Program

TRADOC Reg 135-6
The ARNG/USAR Liaison NCO Program at U.S. Army Training Centers and Service Schools

TRADOC Reg 350-6
Initial Entry Training (IET) Policies and Administration

Section II Related Publications

AR 27-10
Military Justice

AR 600-20
Army Command Policy

Manual for Courts-Martial, United States

Section III Prescribed Form

TRADOC Form 141-R-E
TRADOC Trainee Abuse Report (RCS ATBO-61)

Glossary

Section I Abbreviations

AIEP	Army Ideas for Excellence Program
AIT	advanced individual training
AR	Army regulation
BCT	basic combat training
DA	Department of the Army
DCSBOS	Deputy Chief of Staff for Base Operations Support
DSN	Defense Switching Network
EOA	Equal Opportunity Advisor
HQDA	Headquarters, Department of the Army
IET	initial entry training
NLT	not later than
OSUT	one station unit training
RCS	reports control symbol
SIR	serious incident report
TRADOC	United States Army Training and Doctrine Command
UCMJ	Uniform Code of Military Justice

Section II Terms

Cadre

All permanent or temporary assigned personnel and all government or contract employed civilian personnel assigned to or working within an installation or location which conducts initial entry training. This definition is not limited to personnel with direct or immediate contact with trainee personnel in the performance of official functions. It incorporates all personnel assigned to the installation or school concerned.

Trainee

All personnel undergoing initial entry training (basic combat training (BCT), one station unit training (OSUT), or advanced individual training (AIT)). Also included are those in-processing at the reception station, awaiting training, in fitness training units, and/or those who have completed training and remain in a holdover status. For the purpose of this regulation "trainee" also includes prior service soldiers, soldiers undergoing reclassification training, and personnel from other services undergoing initial entry training on TRADOC installations.

Trainee abuse

An act against a trainee by a cadre member (as defined above), on or off the installation, which results in physical, verbal, or sexual abuse, blackmail/extortion, or other misconduct.

TRADOC Regulation 350-12

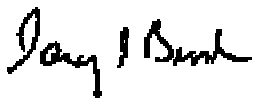
Trainee abuse allegation

An allegation that a cadre member abused a trainee in a manner defined in TRADOC Reg 350-6, this regulation, locally established policies, or the Uniform Code of Military Justice (UCMJ).

FOR THE COMMANDER:

OFFICIAL:

JAMES J. CRAVENS, JR.
Major General, GS
Chief of Staff



GARY E. BUSHOVER
Colonel, GS
Deputy Chief of Staff
for Information Management

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HQDA (DAPE-HR)

TRADOC TRAINEE ABUSE REPORT (TRADOC REG 350-12)

(RCS: ATBO-61)

INSTALLATION: _____

QUARTER: _____

Line		Rape	Forcible Sodomy	Indecent Assault	Sexual Harassment	Other Sexual Misconduct	Other Physical Abuse	Verbal Abuse	Other	Total
1	Total Number of Allegations Closed/ completed this quarter									
2	Result of Investigation/ Review									
	a. Dismissed									
	b. Confirmed									
3	Disposition of Confirmed Cases									
	a. Court Martial Action									
	b. Nonjudicial punishment									
	c. Other corrective measures									
4	Total number of allegations this quarter									
5	Pending/working at end of quarter									
PREPARED BY: (Name, grade, office, telephone number)						RELEASED BY: (Name, grade, position)				

Notes: 1. Line 1, count only allegations which have been reviewed and "closed" during this quarter. "Closed" means dismissed as unfounded/unsubstantiated, or confirmed/substantiated.

2. Lines 2a + 2b must equal line 1.

3. Lines 3a + 3b + 3c must equal line 2b.

4. Line 4 is used to show all allegations made this quarter.

5. Line 5 is used to show all allegations pending at the end of the quarter. This should not duplicate any allegations in Lines 1, 2 or 3.

6. Enclose a narrative summary covering all allegations closed during the quarter (description of incident, results of investigation, and punishment), and those pending at the end of the quarter.

TRADOC FORM 141-R-E (Apr 97)

(Previous editions are obsolete.)